

**LEGISLATIVE SERVICES AGENCY  
OFFICE OF FISCAL AND MANAGEMENT ANALYSIS**

301 State House  
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**FISCAL IMPACT STATEMENT**

**LS 7101**

**BILL NUMBER:** HB 1704

**NOTE PREPARED:** Apr 23, 2003

**BILL AMENDED:** Apr 7, 2003

**SUBJECT:** Various Department of Health Matters.

**FIRST AUTHOR:** Rep. Brown C

**FIRST SPONSOR:** Sen. Miller

**BILL STATUS:** Enrolled

**FUNDS AFFECTED:**

**GENERAL  
DEDICATED  
FEDERAL**

**IMPACT:** No Fiscal Impact

**Summary of Legislation:** (Amended) This bill repeals sanitary requirements for locker plants. The bill repeals weight and count provisions that are duplicative of State Department of Health rules. This bill also repeals provisions regarding the structural foundation and wall colors of schools and provisions requiring the teaching of hygiene and sanitary science.

This bill also prohibits the Department from testing a person who is registered with and holds a valid certificate issued by the American Registry of Radiologic Technologists and allows certain exemptions from testing. The bill permits the Department to conduct indoor air quality investigations. It also requires physicians and optometrists to report individuals diagnosed with severe visual impairments to Family and Social Services instead of the Department. The bill also requires Family and Social Services to produce materials detailing reporting requirements and services available for visually impaired individuals. The bill also exempts community mental health centers and private mental health institutions from food handling laws.

**Effective Date:** July 1, 2003.

**Explanation of State Expenditures:** *Reporting of Blind Persons* - Currently, the State Department of Health receives reports from certain physicians and optometrists regarding blind or visually impaired persons. The Department is then required to share copies of the reports with three agencies if the person is less than 17 years of age: Family and Social Services Administration (FSSA), the Indiana School for the Blind, and the Department of Education (DOE). If the person is 17 years of age or over, the Department must share copies of the reports with FSSA and may share with other organizations upon request. This bill would shift this responsibility from the Department to the Secretary of FSSA.

In FY 2001, the Department reported sending a total of 96 reports for persons under the age of 17: 32 reports each to FSSA, the School for the Blind, and DOE. For persons 17 years of age and over, the Department sent 1,128 reports to FSSA. There were no other requests. The administrative costs saved by the Department and

incurred by FSSA, due to this provision, should be minimal for both agencies.

*Locker Plant Sanitation* - This bill eliminates the regulations regarding locker plant sanitation, including a \$50 fee that may be charged by the Department. No fees are currently being collected since the Department is not enforcing this regulation. This provision would have no fiscal impact, with the exception that it removes a Class B misdemeanor penalty for violation of the regulation. The repeal of this provision reduces the universe of people who could potentially commit a Class B misdemeanor, eliminating the threat of possible charges, potential costs, and collection of court fees. (A Class B misdemeanor is punishable by up to 180 days in jail or a fine not to exceed \$1,000.)

**Explanation of State Revenues:** (Revised) *Testing Requirements for Radiologic Technologists*: The Department charges a fee for testing Radiological Technologists of \$30 to cover the cost of the test. This provision should be revenue neutral; revenue and cost will be proportionally reduced.

**Explanation of Local Expenditures:**

**Explanation of Local Revenues:**

**State Agencies Affected:** The State Department of Health; Family and Social Services Administration.

**Local Agencies Affected:**

**Information Sources:** Zach Cattell, Legislative Liaison for the Department of Health.

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